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7 **IN THE UNITED STATES DISTRICT COURT**
8 **FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

9 Hassie-Demond Nowlin
10 Plaintiff.

Case No. 1:11 CV 511

11 v-

12
13 **AVIS BUDGET GROUP.;**
14 **Defendant.**

15 **COMPLAINT**

16 Plaintiff, **Hassie-Demond Nowlin**, hereby sues Defendant, **AVIS BUDGET GROUP.;**
17 and alleges:

18 **PRELIMINARY STATEMENT**

19 1. This is an action for damages brought for damages for violations of the Fair Credit
20 Reporting Act (FCRA) 15 U.S.C. §1681 *et seq.*

21 **JURISDICTION AND VENUE**

22 2. The jurisdiction of this Court is conferred by 15 U.S.C. §1681p.

23 3. Venue is proper in this Circuit pursuant to 28 U.S.C. §1391b.

24 4. This is an action for damages which do not exceed \$5,000.00.

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26 5. Plaintiff, **Hassie-Demond Nowlin**, is a natural person and is a resident of the State of
27 north Carolina.

28 6. Defendant, **AVIS BUDGET GROUP.**, is a VA Corporation, authorized to do business
29 in North Carolina.

30 7. All conditions precedent to the bringing of this action have been performed, waived or
excused.

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4 **FACTUAL ALLEGATIONS**

5 8. on December 23, 2009, AVIS BUDGET GROUP. Initiated a hard pull of Plaintiff's
6 credit report from Equifax Trans union and Experian without permissible purpose, thereby
7 reducing his credit score.

8 9. On July 9, 2009, AVIS BUDGET GROUP initiated a hard pull of Plaintiff's credit
9 report from Equifax Trans union and Experian without permissible purpose.

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11 **COUNT I**
12 **VIOLATION OF FAIR CREDIT REPORTING ACT (FCRA), 15 U.S.C. §1681**
13 **WILLFUL NON-COMPLIANCE BY DEFENDANT AVIS BUDGET GROUP.**

14 10. Paragraphs 1 through 9 are realleged as though fully set forth herein.

15 11. Plaintiff is a consumer within the meaning of the FCRA, 15 U.S.C. §1681a(c).

16 12. AVIS BUDGET GROUP. Is a furnisher of information within the meaning of the
17 FCRA, 15 U.S.C. §1681s-2.

18 12. AVIS BUDGET GROUP willfully violated the FCRA. Defendant's violations
19 include, but are not limited to, the following:

20 (a) AVIS BUDGET GROUP willfully violated 15 U.S.C. §1681b(f) by obtaining
21 Plaintiff's consumer report without a permissible purpose as defined by 15 U.S.C.
22 §1681b.

23 WHEREFORE, Plaintiff demands judgment for damages against AVIS BUDGET
24 GROUP. for actual or statutory damages, and punitive damages, attorney's fees and costs,
25 pursuant to 15 U.S.C. §1681n.

26 **COUNT II**
27 **VIOLATION OF FAIR CREDIT REPORTING ACT (FCRA), 15 U.S.C. §1681**
28 **NEGLIGENT NON-COMPLIANCE BY DEFENDANT AVIS BUDGET GROUP.**

29 13. Paragraphs 1 through 9 are realleged as though fully set forth herein.

30 14. Plaintiff is a consumer within the meaning of the FCRA, 15 U.S.C. §1681a(c).

15. AVIS BUDGET GROUP. is a furnisher of information within the meaning of the
FCRA, 15 U.S.C. §1681s-2.

1 16. AVIS BUDGET GROUP negligently violated the FCRA. Defendant's violations
2 include, but are not limited to, the following:

3 (a) AVIS BUDGET GROUP negligently violated 15 U.S.C. §1681b(f) by obtaining
4 Plaintiff's consumer report without a permissible purpose as defined by 15 U.S.C.
§1681b.

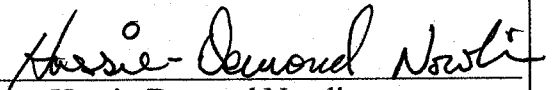
5 WHEREFORE, Plaintiff demands judgment for damages against AVIS BUDGET
6 GROUP for actual damages, and attorney's fees and costs, pursuant to 15 U.S.C. §1681o.

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12 **DEMAND FOR JURY TRIAL**

13 Plaintiff hereby demands a trial by jury of all issues so triable as a matter of law. Pursuant
14 to Civil Rule 38, Plaintiff hereby demands a trial by jury on all issues in this action, except for any
15 issues relating to the amount of attorneys' fees and litigation costs to be awarded should Plaintiff
16 prevail on any of his claims in this action.
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20 Dated: June 1, 2011

21 Respectfully submitted,

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